



# LAND USE COMMISSION

*Komikina Ho'ohana 'Āina*

DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT & TOURISM

*Ka 'Oihana Ho'omōhala Pā'oihana, 'Imi Wai wai a Ho'omāka'ika'i*

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October 1, 2024

Grant Nakama, Senior Vice President  
Mahi Pono  
Via Email [grant.nakama@mahipono.com](mailto:grant.nakama@mahipono.com)

SUBJECT: LUC Dockets A90-657 A&B Properties. Inc. - Kū'au Residential TMK (2) 2-5-005:021 and A98-725 A&B Properties. Inc. – Spreckelsville Mauka TMK (2)-3-8-001:7 Delinquent Annual Reports

Dear Mr.Nakama:

Please be apprised that our records indicate, LUC Docket(s) A90-657 A&B Properties. Inc.- Kū'au Residential and A98-725 A&B Properties. Inc. – Spreckelsville Mauka are owned by MP East B, LLC, however, numerous required documents on status are outdated.

### **A90-657 A&B Properties. Inc. - Kū'au Residential TMK (2) 2-5-005:021**

Pursuant to Condition No. 16 of the Findings of Fact, Conclusions of Law, and Decision and Order issued on December 19, 1990 (the "D&O"). Annual reports are due prior to or on December 19<sup>th</sup> of each year. The required annual reports for 2019 - 2023 have not been filed with the Land Use Commission ("Commission").

Condition No. 15 of the D&O requires the Petitioner to give notice to the Land Use Commission of any intent to sell, lease, assign, place in trust, or otherwise voluntarily alter the ownership interest in the Property prior to development of the Property.

### **A98-725 A&B Properties. Inc. – Spreckelsville Mauka TMK (2)-3-8-001:7**

Pursuant to Condition No. 22 of the Findings of Fact, Conclusions of Law, and Decision and Order issued on July 14, 1999. Annual reports are due prior to or on July 14<sup>th</sup> of each year, the required annual reports for 2019 - 2024 have not been filed with the Commission.

Condition No. 21 requires the Petitioner to give notice to the Land Use Commission of any intent to sell, lease, assign, place in trust, or otherwise voluntarily alter the ownership interests in the Property, prior to development of the Property.

You are hereby informed that unless we receive a detailed annual report covering the each of the Dockets mentioned above by, January 2, 2025, or the Petitioner will be required to appear before the Commission to provide a status report regarding the status of the development proposed under the subject docket.

The format of the annual report should be composed of two sections. The first section should briefly discuss the general progress of the project, including any regulatory approvals pending/obtained, or changes to plans. The second section should state verbatim all conditions imposed by the Commission, followed by a detailed report, on all efforts and challenges presented to comply with each stated condition.

Please include, when possible, the dates of any required regulatory approval obtained or expected, the specific areas of the redistricted lands to which the compliance activity relates, and any other new information regarding the project (i.e., photos, future plans, etc.). In compliance with representations made to the Commission, the Petitioner should specify:

- 1) The sales prices of the “affordably priced units” in relation to the 120% of County of Maui median family income category
- 2) The sales prices of the “other units” in relation to the 140% of County of Maui median family income category
- 3) Indicate the number of Affordable Housing units that have been created, and the number of occupied units.

We require that one original and one electronic copy of the annual report be filed with the Commission. The electronic copy must be ADA compliant, upon filing. We also note that the D&O requires the annual report to be served upon County of Maui Planning Department and the Office of Planning and Sustainable Development.

Additionally, please provide the Commission with updated contact information for the ownership of the properties, this includes address, phone, and email addresses.

Should you have any questions, please contact our office, at (808) 587-3823 or via email at [dbedt.luc.web@hawaii.gov](mailto:dbedt.luc.web@hawaii.gov).

Sincerely,



Daniel Orodener  
Executive Officer  
Land Use Commission  
State of Hawai'i